

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLARD AMMONS,

Defendant,

and

**EASTERN BAND OF CHEROKEE
INDIANS,**

Garnishee.

This matter is before the Court on the Government's Motion for Dismissal of Order of Continuing Garnishment (Doc. 42).

On September 3, 2010, Defendant was sentenced to 36 months of incarceration and 4 years of supervised release for his conviction of willfully and maliciously setting fire to a dwelling on an Indian Reservation in violation of 18 U.S.C. §§ 81 and 1153. As part of the Judgment in the criminal case, Defendant was ordered to pay an assessment of \$100.00 and restitution of \$80,900.00 to the victims of the crime. (Docs. 20, 21).

On November 4, 2010, the Court entered a Writ of Continuing Garnishment ("Writ") (Doc. 24) to The Eastern Band of Cherokee Indians, ("Garnishee").

An Order of Garnishment (Doc. 28) was entered on January 28, 2011 in the amount of \$81,000.00, as computed through November 2, 2010, and directed Garnishee to pay the United States each *per capita* distribution of gaming revenues on account of Defendant until the full amount of the Judgment was satisfied.

On February 19, 2019, the Government filed its Final Accounting of Garnishment (Doc. 40) which advised that the United States Attorney's Office, Financial Litigation Unit had received the final payment from Garnishee and that the balance of the assessment, fine, and/or restitution debt had been satisfied. The instant Motion (Doc. 42) requests that the Court dismiss the Order of Garnishment (Doc. 28).

For the reasons stated, the Government's Motion for Dismissal of Order of Continuing Garnishment (Doc. 42) is **GRANTED** and this Court's Order of Garnishment (Doc. 28) is **TERMINATED**.

Signed: February 25, 2019

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

